

**LEGISLATIVE SERVICES AGENCY
OFFICE OF FISCAL AND MANAGEMENT ANALYSIS**

200 W. Washington, Suite 301
Indianapolis, IN 46204
(317) 233-0696
<http://www.in.gov/legislative>

FISCAL IMPACT STATEMENT

LS 6756

BILL NUMBER: HB 1146

NOTE PREPARED: Dec 23, 2003

BILL AMENDED:

SUBJECT: Hunting near Schools.

FIRST AUTHOR: Rep. Crooks

FIRST SPONSOR:

BILL STATUS: As Introduced

FUNDS AFFECTED: ☒ GENERAL
☒ DEDICATED
FEDERAL

IMPACT: State & Local

Summary of Legislation: This bill prohibits hunting within one mile of a school building.

Effective Date: July 1, 2004.

Explanation of State Expenditures: A court must, upon conviction of a person for hunting within one mile of a school building, send the Department of Natural Resources (DNR) a certified copy of the judgment. The DNR must keep a record of all convictions. Upon receiving a copy of the judgment, the DNR must suspend the convicted person's hunting license. This provision will add administrative expenses to the DNR. The DNR, however, should be able to absorb any additional expense given its current budget and resources.

Explanation of State Revenues: Revenues collected for hunting licenses could decline. The impact is expected to be negligible.

If additional court cases occur and fines are collected, revenues to both the Common School Fund and the state General Fund would increase. The maximum fine for a Class C misdemeanor is \$500. The maximum fine for a Class B misdemeanor is \$1,000. Criminal fines are deposited in the Common School Fund.

If the case is filed in a circuit, superior, or county court, 70% of the \$120 court fee that is assessed and collected when a guilty verdict is entered would be deposited in the state General Fund. If the case is filed in a city or town court, 55% of the fee would be deposited in the state General Fund.

Explanation of Local Expenditures: A Class B misdemeanor is punishable by up to 180 days in jail. A Class C misdemeanor is punishable by up to 60 days in jail. The average daily cost to incarcerate a prisoner

in a county jail is approximately \$44.

Explanation of Local Revenues: If additional court actions occur and a guilty verdict is entered, local governments would receive revenue from the following sources: (1) The county general fund would receive 27% of the \$120 court fee that is assessed in a court of record. Cities and towns maintaining a law enforcement agency that prosecutes at least 50% of its ordinance violations in a court of record may receive 3% of court fees. If the case is filed in a city or town court, 20% of the court fee would be deposited in the county general fund and 25% would be deposited in the city or town general fund. (2) A \$3 fee would be assessed and, if collected, would be deposited into the county law enforcement continuing education fund. (3) A \$2 jury fee is assessed and, if collected, would be deposited into the county user fee fund to supplement the compensation of jury members.

State Agencies Affected: Department of Natural Resources.

Local Agencies Affected: Trial courts, local law enforcement agencies.

Information Sources:

Fiscal Analyst: Bernadette Bartlett, 317-232-9586.